

**NDDOT/Contractor Liaison Meeting  
1:15 p. m. – May 11, 2009  
Room 330, Transportation Building  
Bismarck, North Dakota**

**Attendees**

There were twenty-nine (29) attendees representing three (3) companies, along with representatives from the Associated General Contractors (AGC), the Federal Highway Administration (FHWA), and the North Dakota Department of Transportation (Department). The meeting was held in the Executive Conference Room of the Transportation Building and was broadcast via conference call to the Grand Forks, Fargo, Valley City, Devils Lake, Minot, Williston, and Dickinson district offices.

Grant Levi, Deputy Director for Engineering, North Dakota Department of Transportation, welcomed everyone to the meeting. Introductions were made at all locations.

**Francis Ziegler, Director, North Dakota Department of Transportation - Opening Comments, Budget & Legislative Update**

Director Ziegler thanked the industry and Russ Hanson, AGC, for all their hard work during the legislative session.

The legislature passed the \$1.3 billion Transportation Bill that includes the Department's budget.

The Director recently signed two more documents for American Recovery and Reinvestment Act (ARRA) projects. The Department has now allocated half of the stimulus money it has received. All of the stimulus money for 2009 has been allocated.

On the afternoon of May 22<sup>nd</sup> there will be a press conference concerning safety in highway construction work zones. The press conference brings together several agencies. There will be a large emphasis on safety in highway construction work zones this year.

Director Ziegler and Grant Levi will be attending the AASHTO spring meeting where they will be discussing federal funding. The Director hopes that federal funding will last through 2009, but is waiting for official notification from FHWA.

Question: When will load limits be lifted?

Answer: The roads are improving, but the earliest load limits will be lifted is the third week of May.

**Deb Igoe, Director, Civil Rights Division - DBE Goal**

As of the May 1, 2009, bid opening DBE participation is at 4.76%. DBE Participation was at 4.55% after the April 17, 2009, bid opening.

Question: Is there any way to factor in the loss of Morris Sealcoat and Beeter Trucking as DBEs?

Answer: No. Morris Sealcoat would have only accounted for about 1% of the race-neutral participation. Beeter Trucking's participation would have been very minimal.

The Department will need to be more aggressive in setting goals for race-conscious projects to meet the annual goal.

The Civil Rights Division is now located in Room 315 of the Central Office.

**Cal Gendreau, Construction Engineer - ARRA Reporting Requirements**

There are new reporting requirements for ARRA projects. Most of the reporting will be done by the Department. There is a special provision in all stimulus projects outlining the reporting requirements. Stimulus projects are identified by "STM" at the beginning of the project number.

Prime contractors are responsible for reporting the number of employees, total number of hours, total payroll, and total DBE payments made on stimulus projects. The Department will provide new electronic reporting forms on the Web. Go to <http://www.dot.nd.gov> and click on the "Business" tab. Prime contractors are responsible for filling out the form for the prime contractor and all subcontractors and emailing it to the Department and to the district. Reports are due to the Department ten calendar days after the end of the month.

**Contractors are strongly encouraged to use the forms from the Department's website.** Reporting requirements may change. The Department will post new reporting forms to the Web. The forms in the special provision may be outdated.

Question: Do prime contractors still have to report employees at permanent batch/pit locations who also work on stimulus projects?

Answer: Yes. Report whatever portion of their time was spent on stimulus projects.

Question: Do reported hours include all project personnel (i.e. office and survey workers)?

Answer: Yes.

**Internet Questions** - None

**Audience Questions** - None

**Francis Ziegler, Director, North Dakota Department of Transportation - Closing Comments**

Director Ziegler is concerned that the reporting requirements currently required for stimulus projects will also be required for regular federally funded projects.

Question: Is there a late reporting penalty?

Answer: Yes. Failure to submit the required reports, by the 10<sup>th</sup> day after the month, will result in a \$500 per day contract penalty. The Department visited with some of the industry who agreed the time frame and the penalty amounts were reasonable.

Director Ziegler again reminded everyone that safety is the number one priority in highway construction work zones.